

REMARKS

Claims 1-12, 23-31 and 36-47 are pending in the application.

The applicants gratefully acknowledge the courtesy extended by the Examiner for the telephonic interview with applicants' representative on July 31, 2006 during which the following arguments were discussed.

ARGUMENTS

I. No Anticipation By Wen-Te

Claims 1-12, 28-31, 38-44, and 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,454,729 (Wen-Te). Each of these claims recites a formation (or projection) for a receptacle adapted to establish an electrical connection with a compatible plug received by the receptacle. The receptacle formation (or projection) is adapted to contact a general-use (or non-compatible) plug to prevent the plug from establishing electrical connection with the receptacle.

1. The Claimed Invention Prevents Contact Between Plug Blade and Receptacle Contact

According to independent claims 1, 38, and 39, the receptacle formation prevents a blade of the general-use (or non-compatible) plug from contacting an electrical contact of the receptacle. As discussed with the Examiner on July 31, 2006, it is not a requirement of the invention that the blades of the general-use (or non-compatible) plug are completely blocked by the receptacle formation against any insertion into the receptacle. Therefore, partial blade insertion may occur before the receptacle formation contacts the plug. As recited by claims 1, 38, and 39, however, the contact between the general-use (or non-compatible) plug and the receptacle formation prevents the blades of the plug from contacting the electrical contact within the receptacle. Thus, by preventing contact between the plug's blades and the receptacle's electrical contact, the general-use (or non-compatible) plug is prevented from establishing electrical connection with the receptacle.

According to independent claim 28, the compatible plug includes an electrical contact (e.g., blade) that contacts an electrical contact of the receptacle during insertion of the plug into the receptacle. The electrical contact of the compatible plug overlaps the electrical contact of the receptacle by a *length of overlapping contact* when the compatible plug is fully inserted in the receptacle. Claim 28 recites that the projection of the receptacle has a height that is greater than the length of overlapping contact. As discussed with the Examiner on July 31, 2006, it is not a requirement of the invention that the projection have a height that is greater than blade length such that any insertion of the general-use plug into the receptacle is prevented. Thus, the electrical contacts (e.g., blades) of the general-use plug may be partially inserted into the receptacle before the receptacle projection contacts the general-use plug to prevent further insertion. However, by requiring the *projection* to have a *height that is greater than* the above-discussed *length of overlapping contact*, the electrical contacts (e.g., blades) of the general-use plug will be prevented from contacting the electrical contact of the receptacle. Thus, the general-use plug is prevented from establishing electrical connection with the receptacle.

2. Rejection Improperly Mixes Embodiments of Wen-Te and Requires Speculation

The rejections based on Wen-Te are improper and fail to show the above-discussed feature of preventing contact between the plug blades and the electrical contact of the receptacle.

Wen-Te discloses plug and socket assemblies for interconnecting strands of Christmas tree lights. (See col. 1, lines 21-45; and col. 3, lines 41-46). The assemblies include retaining means adapted *to maintain connection* between the plug and socket when the plug is fully inserted into the socket. Each of Figures 1, 3, and 4 of Wen-Te shows a different embodiment of the plug and socket assembly. In the set shown in Figure 3, the socket (20) includes a pin (30) that is received by a hole (31) in the plug (10). The pin includes an enlarged “ball head” for retained receipt of the pin within the hole of the plug.

At pages 2-3 of the February 8, 2006 office action, the Examiner attempts to support the anticipation rejection by selecting the plug from the plug and socket of Figure 1 and using it with the socket from the plug and socket of Figure 3 in place of the plug that is actually

shown in Figure 3. The Examiner asserts that the selected elements from the separate embodiments of Wen-Te represent a showing of a receptacle having a receptacle formation (or projection) and a general-use plug as claimed.

The position taken by the Examiner regarding anticipation by Wen-Te is defective for the following reasons. *First*, the shuffling by the Examiner of the plugs and sockets of the different embodiments to create the proposed construction is neither a showing of Wen-Te nor inherent from what is shown. To the contrary, *the proposed mixing* of embodiments *defeats the intended plug-retaining feature* that is taught by each embodiment of Wen-Te. The proposed mixed-embodiment construction, therefore, is an improper use of the reference.

Second, even if the proposed mixed-embodiment construction were to be considered, every feature recited by the claims is not shown as required. As discussed above, the receptacle formation (or projection) of the claims prevents the blade of the general-use plug from contacting an electrical contact located within the receptacle. Wen-Te, however, does not show or describe the internal construction of the sockets, particularly in regard to the location and dimensions of the electrical contacts within the socket. As such, one must speculate regarding the construction of the electrical contacts of the sockets in Wen-Te.

Also, it is clear from the figures in Wen-Te that the length of the plug blades are longer than the length of the pin such that partial insertion of the plug of the mixed-embodiment construction into the socket will be permitted. As such, it is possible that the partially-inserted plug blades of the mixed-embodiment construction could contact the unseen electrical contacts within the socket to establish electrical connection. Thus, in order to conclude that electrical connection would be prevented in the mixed-embodiment construction proposed by the Examiner, *one must speculate both in regard to the internal construction of the socket (i.e., to determine the location of the electrical contact) and in regard to the relative dimensions of the pin and blade length* (i.e., to determine how much blade insertion will be permitted).

As discussed with the Examiner on July 31, 2006, the speculation that is necessary for the Examiner to conclude that electrical connection is prevented in the proposed mixed-embodiment construction renders the anticipation rejection improper. There is no support

for the Examiner's conclusion that contact between the blades of the Figure 1 plug and the electrical contacts within the Figure 3 socket is prevented as required.

In addition to the above claim feature regarding prevention of contact between plug blades and electrical contacts within a receptacle, further features of claims 38 and 39 are lacking. Claim 38 recites a **body "adapted for removable attachment to the receptacle."** Claim 39 recites a **plug formation "being visible when the receptacle and the compatible plug are fully engaged with each other."** As discussed with the Examiner on July 31, 2006, these features are not shown in Wen-Te.

For the foregoing reasons, claims 1-12, 28-31, 38-44, and 46-47 are not anticipated by Wen-Te. Furthermore, it would not have been obvious to modify Wen-Te in the claimed manner. Wen-Te teaches retained connection between compatible plugs and sockets instead of prevention of contact between the blades of a non-compatible plug and the electrical contacts within a receptacle as claimed. Only through improper hindsight use of the applicants' disclosure is the invention obtained.

For the foregoing reasons, the applicants respectfully request that the rejection of claims 1-12, 28-31, 38-44, and 46-47 based on Wen-Te be withdrawn.

II. No Prima Facie Obviousness in Royer and Wen-Te Combination

Claims 23-27, 36-37 and 45 are rejected under 35 U.S.C. 103(a) based on U.S. Pat. No. 4,293,733 (Royer) and Wen-Te. Each of these claims recites a formation for a receptacle adapted to establish an electrical connection with a compatible plug received by the receptacle. The receptacle formation is dimensioned to contact a general-use plug to prevent the plug from establishing electrical connection with the receptacle.

Royer discloses an electrical outlet having tunnel-shaped members (50A, 50B) to prevent a child from "plac(ing) his fingers on partially inserted prongs." (Col. 5, lines 23-25).

The Examiner acknowledges at page 5 of the office action that Royer does not disclose a receptacle formation as claimed to contact a general-use plug to prevent the plug from establishing electrical connection with the receptacle. The Examiner asserts at page 6 of the office action, however, that it would have been obvious to modify Royer based on Wen-Te to

respectively include a pin and hole on the receptacle and plug “*in order to attach the plug to the socket firmly without being removed*”. Combination of Wen-Te with Royer, however, merely results in a plug and receptacle adapted for retained connection to each other. For similar reasons as discussed above in regard to the anticipation rejection based on Wen-Te, it is not an inherent feature of the Wen-Te retaining means (*i.e.*, the pin and corresponding hole) that a receptacle including the pin will prevent a general-use plug from establishing electrical connection with the receptacle. Again, depending on the location and dimensions of the electrical contact within the receptacle and the relative dimensions of the pin and the plug blades, a general-use plug may still be able to establish electrical connection with the receptacle as taught by Wen-Te.

The necessary teaching of preventing the general-use plug from establishing electrical connection with the receptacle, lacking in Royer and Wen-Te, is only impermissibly provided by hindsight use of applicants’ disclosure. For the foregoing reasons, therefore, each of claims 23-27, 36-37 and 45 is not rendered obvious based on Royer and Wen-Te.

The applicants respectfully request that the rejection of claim 23-27, 36-37 and 45 based on Royer and Wen-Te be withdrawn.

It is submitted that the application is now in condition for allowance. If the Examiner believes that direct communication would advance prosecution, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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